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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,575

Applicant(s)

LAMBERT ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/15/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to Amendment A, filed 07/01/2004.
2. Claims 1-22 are currently pending in this application. Claim 1, 2 and 22 are independent claims.

Claim Rejections - 35 USC § 103

3. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finch, II et al. US006282567B1 - filed 06/24/1999 (hereinafter '567), in view of Tripp et al. US006516337B1 – filed 10/14/1999 (hereinafter '337).**

In regard to independent claim 1, “receiving a request for a web page content from a requestor”, as taught by '567 at col. 2, lines 6-8 (i.e... internet user enters one or more search term and requests that the search engine find and list Internet sites relating to the search terms...),

“identifying the requestor is human visitor or a search engine spider”, as taught by '567 at col. 4, lines 3-4 (i.e... detects whether a user or a search engine spider accesses a search engine content page ...),

"redirecting identified human visitors to a web page in an existing web site", as taught by '567 at col. 4, lines 8-9 (i.e... redirects the user to the company web server or to a client web server ...);

'567 does not teach, *"... examining a user-agent tag and an IP address of an HTTP request of the requestor and comparing the user-agent tag and the IP address with requesting agent characteristics stored in a signature database"*, however as taught by '337 at col. 11, lines 40-55 (i.e... In operation, the central server 202 performs three primary functions: 1) processing search queries from remote users; 2) brochure generation and verification; and 3) index update processing...), also as taught by '337 at col. 13, line 35 through col. 14, line 60 (i.e....FIG. 4 is a bubble chart illustrating the generation and processing of a brochure 206 in the indexing system 200 of FIG. 2...brochure 206 is to allow the web host 208 and the web site to provide specific non-HTML information...The directory structure of the host and web site are used to determine the relevance of the information in the brochure...a host brochure is shown below in Table 1:... Host Brochure Company Information: 1. IP number 2. Domain Name Server 3. Type of Domain Name Server HOST...The host uses the configuration section of the agent program to create site brochures, and can create site brochures for an entire IP address or for any subsection of the site...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '337 into '567 to provide a way, wherein identifying the requestor is human visitor or a search engine spider by examining a user-agent tag and an IP address of an HTTP request of the requestor and comparing

Art Unit: 2176

the user-agent tag and the IP address with requesting agent characteristics stored in a signature database. One of the ordinary skills in the art would have been motivated to perform such a modification to provide a system, wherein the decision of whether to expose the existence and classification of local objects becomes the responsibility and choice of the author, rather than a generic decision, as taught by '337 at col. 26, line 65 through col. 27, line 5 (i.e... advantage to this architecture is that the decision of whether to expose the existence and classification of local objects becomes the responsibility and choice of the author, rather than a generic decision...).

5. Claims 2-6, and 11-12, 19 and 21-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch, II et al. US006282567B1 - filed 06/24/1999 (hereinafter '567), in view of Yacoby et al. US006516311B1- filed 02/24/2000 (hereinafter '311).

In regard to independent claim 2, "*receiving a request for a web page content from a requestor*", as taught by '567 at col. 2, lines 6-8 (i.e... internet user enters one or more search term and requests that the search engine find and list Internet sites relating to the search terms...),

"*identifying the requestor is human visitor or a search engine spider*", as taught by '567 at col. 4, lines 3-4 (i.e... detects whether a user or a search engine spider accesses a search engine content page ...),

'567 does not explicitly teach, "*dynamically generating one or more web pages optimized for identified search engine spiders; and returning the one or more*

Art Unit: 2176

dynamically generated web pages to the search engine spider", however as taught by '311 at col. 7, lines 16-19 (i.e... Jparsing server has a utility commonly known as a spider detector. A spider detector functions to deny access to user interactions that are automatically generated by software...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein dynamically generating one or more web pages optimized for identified search engine spiders; and returning the one or more dynamically generated web pages to the search engine spider. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 3, "*redirecting identified human visitors to a web page in an existing web site*", as taught by '567 at col. 4, lines 8-9 (i.e... redirects the user to the company web server or to a client web server ...).

In regard to dependent claim 4, "*wherein different web pages are dynamically generated depending upon the particular search engine spider identified as the requester*", however as taught by '311 at col. 7, lines 16-19 (i.e... parsing server has a utility commonly known as a spider detector. A spider detector functions to deny access to user interactions that are automatically generated by software...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein different web pages are dynamically generated depending upon the particular search engine spider identified as the requester. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 5, “wherein updateable templates are merged with user entered data to dynamically generate the one or more web sites”, however as taught by '311 at col. 10, lines 47-50 (i.e... software program that generates automatic queries to retrieve information based on the number of requests sent by that purported Internet user, the duration of the requests, and the like...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein updateable templates are merged with user entered data to dynamically generate the one or more web sites. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 6, *"wherein updateable templates are merged with information stored in a catalog database to dynamically generate the one or more web sites"*, as taught by '567 at col. 3, lines 16-19 (i.e...update events. One update event would be triggered if the prior advertisements failed to produce Internet traffic for the company. Another update event may be simply a period update trigger at which time the advertisements are automatically updated...).

In regard to dependent claim 11, *"wherein the redirecting is accomplished via a redirect URL"*, however as taught by '311 at col. 2, lines 35-36 (i.e... remote web site sends back to the Internet user a REDIRECT command. Using this redirect command, the Internet user establishes a second at the URL and retrieves the desired web site...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein the redirecting is accomplished via a redirect URL. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 12, *"updating in real time the redirect URL without affecting the existing URL"*, however as taught by '311 at col. 2, lines 34-51 (i.e... REDIRECT command. Using this redirect command, the Internet user establishes a second at the URL and retrieves the desired web site ... when the user clicks a

Art Unit: 2176

hyperlink on web page. This is accomplished by encoding the web page with a masked "mini" hypertext documents (or applet) containing an advertisement which resides in the computers memory (RAM), without the user knowing it...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein updating in real time the redirect URL without affecting the existing URL. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 19, *"automatically changing the redirect URL based on real time state information which can be influenced by the interaction of other requestors of web page content"*, however as taught by '311 at col. 10, lines 40-52 (i.e... Internet user enters a telephone number followed by the domain name into any Internet browser address box; for example, "2137086950.bytel.org" (401). A socket is established by which this identifying information is sent to the web page server at ByTel.Org. The parsing server reads the Internet user's identifying information and determines if the navigator is a spider (a software program that generates automatic queries to retrieve information) based on the number of requests sent by that purported Internet user, the duration of the requests, and the like (402). If it is determined that the navigator is a spider, the request is blocked and the web page server sends a warning (403)...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein automatically changing the redirect URL based on real time state information which can be influenced by the interaction of other requestors of web page content. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to independent claims 21, is directed to an apparatus for performing the method of claim 2, and is similarly rejected under the same rationale.

In regard to independent claims 22, is directed to a computer-readable medium for performing the method of claim 2, and is similarly rejected under the same rationale.

In regard to independent claims 23, is directed to an apparatus for performing the method of claims 2-6, and is similarly rejected under the same rationale.

In regard to independent claims 24, is directed to an apparatus for performing the method of claim 18 and is similarly rejected under the same rationale.

6. **Claims 13-18 and 20**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch, II et al. US006282567B1 - filed 06/24/1999 (hereinafter '567), in view of Tripp et al. US006516337B1 – filed 10/14/1999 (hereinafter '337), further in view of Yacoby et al. US006516311B1- filed 02/24/2000 (hereinafter '311).

In regard to dependent claim 13, '567 and '337 do not explicitly teach, *"logging for later reporting and dissemination all requests and actions taken"*, however as taught by '311 at col. 12, lines 8-9 (i.e... selected advertising is recorded in a history field in the directory database ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 and '337 to provide a way, wherein logging for later reporting and dissemination all requests and actions taken. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 14, *"identifying the source link from which a human visitor requests a web page content"*, as taught by '567 at col. 2, lines 6-8 (i.e... internet user enters one or more search term and requests that the search engine find and list Internet sites relating to the search terms...),

"tracking via use of redirection with an IMAGE tag the human visitor across a plurality of web pages", however as taught by '311 at col. 7, lines 44-46 (i.e... directory database contains records for individuals, businesses, government entities and anyone who establishes a presence on the Internet...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 and '337 to provide a way, wherein tracking via use of redirection with an IMAGE tag the human visitor across a plurality of

Art Unit: 2176

web pages. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 15, *"whereby tracking occurs across multiple domain"*, as taught by '567 at col. 6, lines 37-40 (i.e... timekeeping system, each user, e.g. WC 118B, of the system periodically accesses the application software upon the CIWS 108 across the Internet...).

In regard to dependent claim 16, *"supplementing with additional dynamic code around the IMAGE tag in order to ensure that every request for the IMAGE is unique and to avoid caching the IMAGE data, thereby forcing each request to be processed unique"*, however as taught by '311 at col. 3, lines 14-20 (i.e...internet user form submitting a telephone number to viewing a web page. The present invention is further directed to a methodology to display a targeted advertisement to an Internet user for a good or service which is of present interest to the Internet user based on that Internet user's desire to view a web page corresponding to a particular telephone number...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 and '337 to provide a way, wherein supplementing with additional dynamic code around the IMAGE tag in order to ensure that every request for the IMAGE is unique and to avoid caching the IMAGE data, thereby forcing each request to be processed unique. One of the ordinary skill in the art

would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 17, *"an email address to which a link was redirected, a referrer URL and all information stored there"*, however as taught by '311 at col. 12, lines 32-34 (i.e... submitting a request to register which specifies a return e-mail address. Upon receipt of the request, the entity establishing the directory database ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 and '337 to provide a way, wherein *logging additional information including an email address to which a link was redirected, a referrer URL and all information stored there*. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 18, *"the value of a any transactions occurring during a human visitor's visit on a web page, a referrer URL and all information stored there"*, however as taught by '311 at col. 9, lines 34-44 (i.e... selecting an advertising object for an advertiser whose criteria correlates with the criteria for registrant ... advertising server executes a query of the advertising database to yield a query result

Art Unit: 2176

of an advertiser record for which the advertiser criteria correlates with the registrant criteria...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 and '337 to provide a way, wherein the value of a any transactions occurring during a human visitor's visit on a web page, a referror URL and all information stored there. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

In regard to dependent claim 20, *"wherein a redirect URL includes information regarding the source of web traffic being logged"*, as taught by '567 at col. 1, lines 51-53 (i.e... Success in conducting business and advertising upon the Internet requires that "Internet traffic" reach a particular web site or set of web sites. Thus, mechanisms must be put in place that cause "web surfers" and other Internet users to reach a desired web site or set of web sites...).

7. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch, II et al. US006282567B1 - filed 06/24/1999 (hereinafter '567), in view of Tripp et al. US006516337B1 – filed 10/14/1999 (hereinafter '337), in further view of Chiu et al. US005752022A – filed 08/07/1995 (hereinafter '022).

In regard to dependent claim 7, '567 and '337 do not teach, *" wherein the request for a web page content is received via a Uniform Resource Locator (URL) link*

Art Unit: 2176

published or stored in the Internet", however as taught by '022 at col. 1, lines 1-3 (i.e... uniform resource locators (URLs)... reference to a real location where the related information will be located on the INTERNET...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '022 into '567 and '337 to provide a way, wherein the request for a web page content is received via a Uniform Resource Locator (URL) link published or stored in the Internet. One of the ordinary skill in the art would have been motivated to modify this combination for increasing the efficiency of the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world, as taught by '022 at col. 1, lines 51-53 (i.e... the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world...).

In regard to dependent claim 8, "*wherein the URL link includes banner advertisements*", as taught by '337 at col. 31, lines 45-60 (i.e... TABLE 14 ... banner adds and URL impression sales...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '337 into '567 and '022 to provide a way, wherein the URL link includes banner advertisements. One of the ordinary skill in the art would have been motivated to modify this combination for increasing the efficiency of the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world, as taught by '022 at col. 1, lines 51-53 (i.e...

Art Unit: 2176

the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world...).

In regard to dependent claim 9, “wherein the URL link includes affiliate links”,
as taught by ‘337 at col. 31, lines 45-60 (i.e... TABLE 14....URL impression sales.
Partnership Manager Some revenue will come from portals and remote hosting
partnerships...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified ‘337 into ‘567 and ‘022 to provide a way, wherein the URL link includes affiliate links. One of the ordinary skill in the art would have been motivated to modify this combination for increasing the efficiency of the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world, as taught by ‘022 at col. 1, lines 51-53 (i.e... the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world...).

In regard to dependent claim 10, “wherein the URL link includes e-mail campaigns”, as taught by ‘337 at col. 14, lines 30-55 (i.e... TABLE 1.... 1 Host Brochure Company Information: 1. IP number 2. Domain Name Server 3. Type of Domain Name Server HOST - Technical Contact's email address 13. Would you like the Technical Contact to receive email notification that of every successful site index update. ... URL/....Number of email boxes hosted 3. Number of Domain Names hosted 4. Number of Web sites hosted ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '337 into '567 and '022 to provide a way, wherein the URL link includes e-mail campaigns. One of the ordinary skill in the art would have been motivated to modify this combination for increasing the efficiency of the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world, as taught by '022 at col. 1, lines 51-53 (i.e... the tool for locating, accessing and communicating data, including computerized text, images and other information throughout the world...).

Response to Argument

7. Examiner has completed a through study of Applicant's Amendments of 07/15/2004; especially, Applicant's amendments to independent claim 1 and newly added claims 23-24 and remarks at pages 9-14.

8. As for amended claim 1 and its dependents claims 7-10, 13-18 and 20 (see applicant's remark pages 9-11) have been fully considered but are moot in view of the new ground(s) of rejection.

9. As for claims 2, remark pages 9-10, applicant argues that '567 in view of '311 do not teach, dynamically generating web pages.... Examiner respectfully disagree, reason is set forth in the pervious rejection, "*receiving a request for a web page content from a requestor*", as taught by '567 at col. 2, lines 6-8 (i.e... internet user enters one or more search term and requests that the search engine find and list Internet sites relating to the search terms...),

"identifying the requestor is human visitor or a search engine spider", as taught by '567 at col. 4, lines 3-4 (i.e... detects whether a user or a search engine spider accesses a search engine content page ...),

'567 does not explicitly teach, *"dynamically generating one or more web pages optimized for identified search engine spiders; and returning the one or more dynamically generated web pages to the search engine spider"*, however as taught by '311 at col. 7, lines 16-19 (i.e... Jparsing server has a utility commonly known as a spider detector. A spider detector functions to deny access to user interactions that are automatically generated by software...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '311 into '567 to provide a way, wherein dynamically generating one or more web pages optimized for identified search engine spiders; and returning the one or more dynamically generated web pages to the search engine spider. One of the ordinary skill in the art would have been motivated to modify this combination for increasing efficiency of advertising opportunity that arises out of the problems Internet users face in finding a web site, as taught by '311 at col. 2, lines 19-20 (i.e... advertising opportunity that arises out of the problems Internet users face in finding a web site...).

Therefor the rejection of claim 2 is remain rejected, also lead to the rejection of its dependents claims 3-6, 11-12 and 19 as well see applicant's remark pages 12-13).

10. As for claims 21-22 (see applicant's remark page 13), are apparatus and computer-readable medium for performing the method of claim 2, and are similarly

rejected under the same rationale. Please see rejection in detail, which set forth in the rejection state in previous rejection.

11. As for the new added claims 23-24 (see applicant's remark page 14), are directed to an apparatus for performing the method of claims 2-6 and 18 and are similarly rejected under the same rationale. Please see rejection in detail, which set forth in the rejection state above.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SANJIV SHAH
PRIMARY EXAMINER

Quoc A. Tran
Patent Examiner
Technology Center 2176
January 12, 2005